



# THE ERIE COUNTY LEGISLATURE

Session No. 15  
September 14, 2006

Lynn M. Marinelli  
*Chairman*

Maria R. Whyte  
*Majority Leader*

Barry A. Weinstein  
*Minority Leader*

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## ROLL CALL

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INVOCATION – Mr. Kennedy

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PLEDGE OF ALLEGIANCE – Ms. Iannello

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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## MINUTES OF PREVIOUS MEETING

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS

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IANNELLO	In Memory of Theresa M. Jaramillo
IANNELLO	In Memory of Andrew Michael Dlugosz
MARINELLI	Honoring Carmen A. and Marilyn J. Queeno on their 50th Wedding Anniversary
MARINELLI	Honoring Ed Dore for his Contributions Made to Sustain the Buffalo & Erie County Botanical Gardens
WEINSTEIN	Honoring the Work David M. Goldstein had Done to Benefit the Families of Temple Beth Zion
WHYTE	Recognizing the Puerto Rican Day Parade of WNY
WHYTE	Celebrating Hispanic Heritage Month
REYNOLDS	Honoring Daisy Mae Erick Winters Upon the Celebration of Daisy's 107th Birthday
REYNOLDS	Honoring William G. Houston for his Dedication & Service to His Community

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## LOCAL LAWS

## REFERENCE

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LL INT 7-1 3/30/2005	SMITH	The Local Law To Retain Jobs in NYS	
LL INT 12-1 10/19/2005	MARINELLI	A LL Amending the EC Charter & EC Administrative Code as Amended, in Relation to the Titles and Positions of Deputy Commissioner and Deputy Director	Government Affairs

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LL INT 4-1 6/12/2006	KONST, IANNELLO & LOCKLEAR	A Charter Law to Reforming County Government by Limiting the Terms of Office of Elected County Legislators
LL INT 5-1 6/16/2006	KONST, IANNELLO & LOCKLEAR	A Charter Law to Reforming County Government by Limiting the Terms of Office of Elected County Executive
LL INT 6-1 7/19/2006	LOCKLEAR, KONST, RANZENHOFER, MILLS & WEINSTEIN	A LL Amending Article III of the EC Charter to Redefine the Positions of County Executive and Deputy County Executive in the Spirit of Charter Revision Commission Recommendations
LL INT 8-1 12:00:00 AM	RANZENHOFER, WEINSTEIN, MILLS	A LL Requiring Businesses to Verify that their Employees are Legally Eligible to be Employed in the USA & EC

**COMMITTEE REPORTS**

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 15-1	WEINSTEIN, MILLS & LOCKLEAR	STAR Programs Application in Erie County & The Role of the Local State Delegation
INTRO 15-2	WEINSTEIN, MILLS & LOCKLEAR	STAR Program Application in Erie County
INTRO 15-3	REYNOLDS	2006 Legislature Personnel Budget Technical Amendment
INTRO 15-4	MARINELLI, WHYTE, REYNOLDS, LOUGHRAN, MAZUR, LOCKLEAR, SMITH & HOLT	2006 Legislature Budget Technical Amendment
INTRO 15-5	LOUGHRAN	Calling upon the Giambra Administration to hold Public Hearings Seeking Input of Residents Concerning Their Complex Sales Tax Redistribution Formula
INTRO 15-6	LOUGHRAN	Reforming the Erie County Government RFP Process
INTRO 15-7	MARINELLI	Clarification of Legislative Records

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE**

COMM. 15E-1	IANNELLO	Copy of Letter to ECC President Re: Student Housing Project at South Campus	Community Enrichment
COMM. 15E-2	COUNTY EXECUTIVE	Designation Pursuant to Erie County Charter Section 304	RFP
COMM. 15E-3	COUNTY EXECUTIVE	Copy of Statement Regarding Erie County's Four Year Financial Plan	Finance & Management
COMM. 15E-4	IANNELLO	Letter to Board of Ethics Re: Abstention on Vote at July, 13 2006 Session	RFP
COMM. 15E-5	COMPTROLLER	Review of Dept. of Parks, Recreation and Forestry - Forest Management Plan and Timber Harvest	Energy & Environment
COMM. 15E-6	COUNTY EXECUTIVE	Copy of Letter to ECFSA Chair Re: Request for ECFSA's Advice & Counsel Regarding Contract Negotiations w/ AFSCME	Government Affairs
COMM. 15E-7	COMPTROLLER	Copy of Letter to CPS Commissioner Re: Audit of Homeland Security Funding/Expenditures	Public Safety
COMM. 15E-8	COMPTROLLER	Financial Report of Erie County for the Six (6) Month Period 6/30/06	Finance & Management
COMM. 15E-9	SHERIFF	Commission of Correction Report - Escape of Bucky Phillips	Public Safety
COMM. 15E-10	COMPTROLLER	Copy of Letter to ECFSA Chair Re: Review of 24-Hour Take-Home Vehicles in Erie County Government	Government Affairs

COMM. 15E-11	SMITH	Lease Agreement for Legislative Office Space	
COMM. 15E-12	COMPTROLLER	Notice of Completed Sale of \$110 Million RAN	RFP
COMM. 15E-13	COMPTROLLER	Audit of the City of Buffalo Parks Agreement	Energy & Environment
COMM. 15E-14	COUNTY EXECUTIVE	Commission on Police Services in the Twenty-First Century	Public Safety
COMM. 15E-15	COUNTY EXECUTIVE	Revision to Four-Year Financial Plan for Fiscal Years 2006-2009	Finance & Management
COMM. 15E-16	MARINELLI	Community Enrichment Matrix Initiatives	Community Enrichment
COMM. 15E-17	MARINELLI	Economic Development Matrix Initiatives	Economic Development
COMM. 15E-18	MARINELLI	Energy & Environment Matrix Initiatives	Energy & Environment
COMM. 15E-19	MARINELLI	Finance & Management Matrix Initiatives	Finance & Management
COMM. 15E-20	MARINELLI	Government Affairs Matrix Initiatives	Government Affairs
COMM. 15E-21	MARINELLI	Health Matrix Initiatives	Health
COMM. 15E-22	MARINELLI	Human Services Matrix Initiatives	Human Services
COMM. 15E-23	MARINELLI	Public Safety Matrix Initiatives	Public Safety
COMM. 15E-24	MARINELLI	Copy of Letter to ECFSA Chair Re: Four-Year Plan Revisions	Finance & Management
COMM. 15E-25	COMPTROLLER	Erie County 2005 Comprehensive Annual Financial Report	Finance & Management
COMM. 15E-26	MARINELLI	Copy of Letter to Erie County Clerk Re: Interim Clerk	RFP
COMM. 15E-27	DISTRICT ATTORNEY	Asset Forfeiture Appropriations	Public Safety
COMM. 15E-28	DISTRICT ATTORNEY	BESAFE Grant	Public Safety
COMM. 15E-29	DISTRICT ATTORNEY	Crimes Against Revenue Program Grant	Public Safety
COMM. 15E-30	COUNTY EXECUTIVE	2007 Budget Hearing Schedule	R&F
COMM. 15E-31	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the CSE, CSI, HIICAP and LTCOP Grant Budgets	Human Services
COMM. 15E-32	COUNTY EXECUTIVE	DEP - Solid Waste Grant Program - Proper Solid Waste Management in Rural Communities in Erie County	Energy & Environment

COMM. 15E-33	COUNTY EXECUTIVE	Social Services - Employment Division Staff Addition	Government Affairs
COMM. 15E-34	COUNTY EXECUTIVE	Social Services - Foods Stamps Eligibility Staff Additions	Government Affairs
COMM. 15E-35	COUNTY EXECUTIVE	DEP - Sewerage Management - Personnel Request	Energy & Environment
COMM. 15E-36	COUNTY EXECUTIVE	Increase in Various Highway Fees	Economic Development
COMM. 15E-37	COUNTY EXECUTIVE	CPS - 2005/2006 NFSIA Grant Transfer of Funds	Public Safety
COMM. 15E-38	COUNTY EXECUTIVE	DISS - Fund Transfers and Position Transfers	Government Affairs
COMM. 15E-39	COUNTY EXECUTIVE	Social Services - Strengthening Families Program Grant	Human Services
COMM. 15E-40	COUNTY EXECUTIVE	DEP - 2006 Personal Services Contract - Community Development Block Grant - Accounting Service	Energy & Environment
COMM. 15E-41	COUNTY EXECUTIVE	DPW - Old County Hall - 2006 Roof Replacement	Economic Development
COMM. 15E-42	COUNTY EXECUTIVE	DPW - School 84 - 2006 - Window Replacement	Economic Development
COMM. 15E-43	COUNTY EXECUTIVE	DPW - Erie County Soil & Water Conservation District Agreement - Technical Services and Stream Bank Maintenance	Economic Development
COMM. 15E-44	COUNTY EXECUTIVE	Health - Medical Examiner - Amended Fee Schedule	Health
COMM. 15E-45	COUNTY EXECUTIVE	Social Services - Medicaid Eligibility Determination Staff Addition	Government Affairs
COMM. 15E-46	COUNTY EXECUTIVE	Health - Fee Schedule Revision - Effective 1/1/07	Health
COMM. 15E-47	COUNTY EXECUTIVE	Health - Variable Minimum	Government Affairs
COMM. 15E-48	COUNTY EXECUTIVE	Health - Working with Wellness Program Grant - 5/1/01 - 9/15/07	Health
COMM. 15E-49	COUNTY EXECUTIVE	Health - Children with Special Health Care Needs - 10/1/0 - 9/30/07	Health
COMM. 15E-50	COUNTY EXECUTIVE	Social Services - Child Protection Services Caseload Reduction Grant	Human Services
COMM. 15E-51	COUNTY EXECUTIVE	Buffalo Zoo Rain Forest Agreement	Energy & Environment

COMM. 15E-52	COUNTY EXECUTIVE	Mental Health - Authorization to Increase 2006 Appropriation to Transitional Services, Inc.	Health
COMM. 15E-53	COUNTY EXECUTIVE	EC/STSTA - Dissolution of Agency	Energy & Environment
COMM. 15E-54	COUNTY EXECUTIVE	ECSD No. 6 - Engineer Term Agreement - Work Order: DA-6	Energy & Environment
COMM. 15E-55	COUNTY EXECUTIVE	ECSD No. 6 - STSTA - Contract No. ST-D, Electrical Contract Closeout	Energy & Environment
COMM. 15E-56	COUNTY EXECUTIVE	ECSDs 1-6 & 8 - Section 270/271 Resolutions	Energy & Environment
COMM. 15E-57	COUNTY EXECUTIVE	ECSD - Semi Annual Attendance Records - Boards of Managers - ECSDs	Energy & Environment
COMM. 15E-58	COUNTY EXECUTIVE	Notice of Public Hearing - ECSDs - 2007 Assessment Rolls	Energy & Environment
COMM. 15E-59	COUNTY EXECUTIVE	ECSD No. 2 - Disinfection Improvements - Contract No. STP-A - Change Order No. 1	Energy & Environment
COMM. 15E-60	COUNTY EXECUTIVE	ECSD No. 4 - Sluice Gate Evaluation - A/E Agreement Dated 12/12/02 - Close-Out	Energy & Environment
COMM. 15E-61	COUNTY EXECUTIVE	EC/STSTA - Contract No. 1ST-D, Electrical Contract Close Out	Energy & Environment
COMM. 15E-62	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the PSA and CSC Budgets	Human Services
COMM. 15E-63	COUNTY EXECUTIVE	Health - Transfer of Funds	Health
COMM. 15E-64	COUNTY EXECUTIVE	ECSD No. 5 - Emergency Repair - Clarence Research Park Power Feeder	Energy & Environment
COMM. 15E-65	COUNTY EXECUTIVE	ECSD No. 2 - Contract No. STP-B, HVAC - Contract Close Out	Energy & Environment
COMM. 15E-66	COUNTY EXECUTIVE	Appointment to the Erie County Fire Advisory Board	Public Safety
COMM. 15E-67	COUNTY EXECUTIVE	Appointment to the Erie County Commission on the Status of Women	Human Services
COMM. 15E-68	COMPTROLLER	Buffalo Zoological Gardens Bond Resolution	Finance & Management
COMM. 15E-69	COUNTY EXECUTIVE	ECSD No. 4 - Engineer Term Agreement - Work Order: GPI-9	Energy & Environment
COMM. 15E-70	COUNTY EXECUTIVE	Personnel Dept. - Professional Risk Management Function	

<b><u>COMMUNICATIONS FROM THE DEPARTMENTS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 15D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 15D-2	ECSD NO. 1 BOARD OF MANAGERS	Minutes of Meeting	R&F
COMM. 15D-3	DEP - SEWERAGE MANAGEMENT	Copy of Certified Resolutions from ECSD Board of Managers Re: In Support of Managerial Confidential Raises	R&F
COMM. 15D-4	ENVIRONMENT & PLANNING	State Environment Quality Review - Negative Declaration - Notice of Determination of No Significance - Zoo Site Improvement Plan	R&F
COMM. 15D-5	COUNTY ATTORNEY	Notice of Public Hearing - LL Intro No. 7-2006	RFP
COMM. 15D-6	COUNTY ATTORNEY	Copy of Letter to ECFSA Executive Director Re: County Office Leases	R&F
COMM. 15D-7	COUNTY ATTORNEY	Copy of Letter to ECFSA Chair Re: Public Authority Law Section 3957 (2) (f)	Finance & Management
COMM. 15D-8	SOCIAL SERVICES	Effect NYS Parole Office Move to 460 Main St. will have on 478 Main St. Social Service Office	Human Services
COMM. 15D-9	BUDGET, MANAGEMENT & FINANCE	BMR for Period Ending 6/30/06	Finance & Management
COMM. 15D-10	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 15D-11	CLERK OF THE LEGISLATURE	Letter of Resignation	RFP
COMM. 15D-12	PURCHASE	Copy of Letter to Deputy Comptroller Re: Response to the Comptroller Review of the Timber Harvest RFP and Contract	Energy & Environment
COMM. 15D-13	ECC	Response to Comptroller's Audit of Payroll and Procurement Transactions Processed by ECC	Community Enrichment
COMM. 15D-14	BOARD OF ELECTIONS	Polling Site Changes	Government Affairs
COMM. 15D-15	ECC	Notice of Board of Trustees Meeting Held 8/30/06	R&F
COMM. 15D-16	BECPL	Proposed Agenda for Board of Trustees Meeting to be Held 8/24/06	Community Enrichment

COMM. 15D-17	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 15D-18	ECC	Minutes of Board of Trustees Meeting Held 7/20/06	R&F
COMM. 15D-19	ECC	Minutes of Board of Trustees Meeting Held 6/28/06	R&F
COMM. 15D-20	ECC	Notice & Agenda for Board of Trustees Meeting Held 8/30/06	R&F
COMM. 15D-21	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 15D-22	BUDGET, MANAGEMENT & FINANCE	Erie County School Tax Credit Program	Finance & Management

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE**

COMM. 15M-1	ECWA	2005 Annual Report	Energy & Environment
COMM. 15M-2	WALES TOWN BOARD	Certified Resolution: Defects in County Roads	R&F
COMM. 15M-3	WALES TOWN BOARD	Certified Resolution: Termination of the 1977 Sales Tax Revenue Distribution Agreement	R&F
COMM. 15M-4	NYS BOARD OF REAL PROPERTY SERVICES	List of Certified 2006 Equalization Rates	R&F
COMM. 15M-5	NFTA	NFTA Board Minutes	R&F
COMM. 15M-6	NYS DEPT. OF ENVIRONMENTAL CONSERVATION	Fact Sheet - Brownfield Cleanup Program - 330 Maple Road Site	R&F
COMM. 15M-7	ECFSA	Certified Resolution Re: Requiring Erie County to Provide Modified 4-Year Plan to ECFSA by 8/22/06	R&F
COMM. 15M-8	BOARD OF ETHICS	Copy of Letter to Iannello Re: Reply to Comm. 15E-4	RFP
COMM. 15M-9	AID TO INDIGENT PRISONERS SOCIETY, INC. - ASSIGNED COUNSEL PROGRAM	Quarterly Report of the Assigned Counsel Program for 2nd Quarter of 2006	R&F
COMM. 15M-10	TOWN OF EDEN	Certified Resolution: Termination of the 1977 Sales Tax Revenue Distribution Agreement	R&F
COMM. 15M-11	ECIDA	Notice of Board of Director Meeting Held 8/3/06	R&F

COMM. 15M-12	NFTA	Audited Financial Statement for FY Ended 3/31/06	Economic Development
COMM. 15M-13	NYS BOARD OF REAL PROPERTY SERVICES	List of Certified 2006 Equalization Rates	R&F
COMM. 15M-14	AID TO INDIGENT PRISONERS SOCIETY, INC. - ASSIGNED COUNSEL PROGRAM	Financial Report for First Six Months of 2006	R&F
COMM. 15M-15	KNOWER, CRAWFORD & BENDER	Brownfield Cleanup Program Application - 275 Franklin Street, C915208	R&F
COMM. 15M-16	NYS BOARD OF REAL PROPERTY SERVICES	ECSD No. 2	R&F
COMM. 15M-17	CITY OF BUFFALO - DEPT. OF ASSESSMENT & TAXATION	Transit Mall Service Charge Roll	R&F
COMM. 15M-18	NFTA	Notice of Proposed Rulemaking	R&F
COMM. 15M-19	EMS ADVISORY BOARD	Support for Placement of the EMS Division in the Erie County Dept. of Health	Health
COMM. 15M-20	NYPA	Copy of Letter to Congressman Higgins Re: Niagara Power Project Revenue	Economic Development
COMM. 15M-21	AMHERST TOWN BOARD	Certified Resolution Re: Merge AIDA with the ECIDA	Economic Development
COMM. 15M-22	ECFSA	Request the Legislature Respond to Modified Four-Year Plan by 9/6/06	R&F
COMM. 15M-23	NFTA	Copies of the 17A Report and the Capital Expenditure Reports for First Quarter of FY Ending 3/31/07	R&F
COMM. 15M-24	BOARD OF HEALTH	Notice of Board of Health Meeting To Be Held 9/21/06	R&F
COMM. 15M-25	HURWITZ & FINE P.C.	ECIDA	R&F
COMM. 15M-26	LEGAL AID BUREAU	2005 Financial Statements	R&F
COMM. 15M-27	NYS BOARD OF REAL PROPERTY SERVICES	List of Certified 2006 Class Equalization Rates	R&F
COMM. 15M-28	NYS BOARD OF REAL PROPERTY SERVICES	List of Certified 2006 Equalization Rates	R&F
COMM. 15M-29	ECIDA	Notice of Board of Directors Meeting To Be Held 9/11/06	R&F
COMM. 15M-30	NFTA	NFTA Board Minutes	R&F

COMM. 15M-31	CONGRESSMAN HIGGINS	Copy of Letter to NYPA Re: Reply to Comm. 15M-20	Economic Development
COMM. 15M-32	CSEA	Indoor Air Quality Review and Mold Inspection for the Erie County Probation Dept.	Economic Development
COMM. 15M-33	PROBATION/YOUTH SERVICES EMPLOYEES	Petition - Mold in the Family Court Building	Economic Development

**MEMORIAL RESOLUTIONS:**